

## BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: August 17, 2005  
Bulk Item: Yes XX No     

Division: County Attorney  
Staff Contact Person: Pedro Mercado

**AGENDA ITEM WORDING:**

**Approval of settlement agreement in code enforcement lien in Monroe County v. Barry E. Biskup.**

**ITEM BACKGROUND:**

Mr. Biskup was found to be in violation of County Codes 8-30 for trash and debris on his property, 8-30 for failing to mow his property, 19-95 for having abandoned vehicles on his property, 19-96 for having abandoned watercraft on his property, and 19-129 for parking trucks and trailers on his property. The Special Master found Mr. Biskup to be a repeat violator and fined Mr. Biskup \$1,500 per day. Mr. Biskup has brought his property into compliance however the accrued fines total \$1,500,000.00. This case dates back to 1992 and it appears that Mr. Biskup may not have received notice of the fines.

**PREVIOUS RELEVANT BOCC ACTION:**

**CONTRACT/AGREEMENT CHANGES:**

N/A

**STAFF RECOMMENDATIONS:**

**Settle the outstanding lien for \$2,5000.**

**TOTAL COST:N/A**

**BUDGETED:** Yes \_\_\_\_\_ No \_\_\_\_\_

**COST TO COUNTY:N/A**

**SOURCE OF FUNDS:** N/A

REVENUE PRODUCING: Yes ☒ No ☐

AMOUNT PER MONTH \_\_\_\_\_ Year \_\_\_\_\_

**APPROVED BY:** County Atty XX    OMB/Purchasing \_\_\_\_\_    Risk Management \_\_\_\_\_

**DIVISION DIRECTOR APPROVAL:**

JOHN R. COLLINS, COUNTY ATTORNEY

**DOCUMENTATION:** Included XX Not Required

**DISPOSITION:**

AGENDA ITEM #



**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER  
OF MONROE COUNTY, FLORIDA  
The Honorable J. Jefferson Overby, Presiding**

**MONROE COUNTY, FLORIDA**

**Petitioner,**  
**vs.**

**CASE NO.: U7-02-522**

**BARRY E. BISKUP,**

**Respondent(s)**

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

The Petitioner Board of County Commissioners of Monroe County and Barry E. Biskup, Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$2,500.00.
2. The property in question has a legal description of Pt of Tract A, Lot 23, Twin Lakes 1<sup>st</sup> Addition, Key Largo, Monroe County, Florida (RE#:00551000-000000)
3. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit a check in the amount of \$2,500.00 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien for filing by the Respondent(s) in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.



6. By entering into this agreement, each party agrees to waive any and all claims that it could have raised and/or potential claims that it might have been able to raise as a result of the above-captioned code enforcement case.
7. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.
8. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

**ATTEST:**

**DANNY L. KOLHAGE**  
CLERK:

**BOARD OF COUNTY COMISSIONERS**  
**OF MONROE COUNTY**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Dixie M. Spehar, Mayor

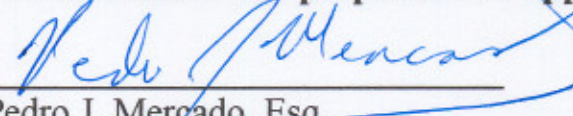
Dated \_\_\_\_\_

\_\_\_\_\_,  
Respondent

\_\_\_\_\_  
Notary Public

By: \_\_\_\_\_  
(date)

**This document was prepared and approved as to form by:**

 8/2/05  
\_\_\_\_\_  
Pedro J. Mercado, Esq.  
Assistant County Attorney  
Florida Bar No.: 0084050  
P.O. Box 1026  
Key West, FL 33041-1026  
(305) 292-3470